

REMARKS

Applicants respectfully request reconsideration of the present application in view of the reasons that follow.

Rejections under 35 U.S.C. §102

Applicants maintain that the rejections under 102(e) and (b) as being anticipated by 2000 80240 A to Doi et al. (hereafter “JP ‘240”) are improper. This rejection was originally made by the Examiner in the November 21, 2001 Office Action and subsequently withdrawn with the May 20, 2003 Notice of Allowance. Applicants repeat below the arguments of the Response filed February 21, 2003.

In the rejection, the Examiner notes that the effective filing date of the instant application predates the effective date of the AIPA and rejects the claims under the pre-AIPA 35 U.S.C. § 102(e). The pre-AIPA 35 U.S.C. § 102(e) states:

“the invention was described in a patent granted on an application for patent by another filed in the *United States* before the invention thereof by the applicant for patent, or on an *international application* by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of *section 371 (c)* of this title before the invention thereof by the applicant for patent”

(emphasis added). Applicants note that JP ‘240 is a published Japanese application. It is neither a United States application nor an international application which is the priority document of a United States national phase application under 371(c). Therefore JP ‘240 does not qualify as prior art under 35 U.S.C. § 102(e). Applicants respectfully request the withdrawal of the rejection under 35 U.S.C. § 102(e).

In addition, applicants note that the publication date of JP ‘240 is March 21, 2000 while the instant application claims priority to Japanese applications having filing dates ranging from November 12, 1999 to July 28, 2000. Therefore, JP ‘240 does not qualify as prior art under 35 U.S.C. § 102(b).

With respect to the rejection to the rejections over the JP6-136058 and JP9-328523, applicants traverse for the following reasons. Neither JP6-136058 nor JP9-328523 teaches or suggests the component (B) defined in claim 1 of the subject application. The excellent optical characteristics of the transparent film of the present invention is attained at least by

specifying the resin components in the film. Therefore, the claimed invention is not anticipated by and would not have been obvious over JP6-136058 or JP9-328523 which does not disclose the component (B).

Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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